

**Open Session Minutes
April 5, 2010**

**SELECTMEN'S MEETING
Monday, April 5, 2010 7 p.m.
H. BERNARD MONAHAN MEMORIAL ROOM
TOWN HALL, 242 UNION STREET
ROCKLAND, MASSACHUSETTS**

**PLEDGE OF ALLEGIANCE
MOS**

1. OPEN FORUM

~Building Inspector Tom Ruble thanked everyone for their support, kind words, and best wishes, at the passing of his mother.

~Former Selectwoman Mary Parsons spoke regarding the difference between stabilization funds and reserve accounts.

2. Open Session Minutes of March 1, 2010

~MOTION to approve by Ms. O'Brien, 2nd by Mr. Zupkofska passed 5-0.

3. Executive Session Minutes of March 1, 2010

~Item tabled-minutes not ready

4. Open Session Minutes of March 15, 2010

Minutes include attachments of the Asst DA's letter and Town Counsel Clifford's letter.

~MOTION to approve by Ms. O'Brien, 2nd by Mr. Zupkofska passed 5-0.

5. Executive Session Minutes of March 15, 2010

~Item tabled-minutes not ready

6. Open Session Minutes of March 25, 2010

~MOTION to approve by Mr. Zupkofska, 2nd by Ms. O'Brien passed 5-0.

7. Executive Session Minutes March 25, 2010

Amendment to the minutes to include "up to"...

~MOTION to approve as amended by Ms. O'Brien, 2nd by Mr. Zupkofska passed 4-0-1(Simpson).

UNFINISHED BUSINESS

8. No Item

9. Registrar of Voters-appointment

~MOTION to appoint Deborah Vecchione of 635 Salem Street to the Board of Registrars as recommended by the Republican Town Committee by Mr. Chaffee, 2nd by Ms. O'Brien passed 4-0-1(Zupkofska)

10. Appointments

ADA Commission

~MOTION to appoint Anton Materna to a 3 year position on the ADA Commission by Ms. O'Brien 2nd by Mr. Chaffee passed 5-0.

~MOTION to appoint Dennis Robson to a 3 year position on the ADA Commission by Mr. O'Brien, 2nd by Mr. Johnson passed 5-0.

Inspector of Animal & Animal Control Officer

~MOTION to appoint Patricia Whittemore, Inspector of Animals and Animal Control Officer by Ms. O'Brien, 2nd by Mr. Chaffee passed 5-0.

NEW BUSINESS

11. No Item

12. Trueman's Catering Change of Address

MOTION to approve subject to Board of Health approval by Ms. O'Brien, 2nd by Mr. Zupkofska passed 5-0.

13. No Item

14. Freedom Walk

~MOTION by Ms. O'Brien, 2nd by Mr. Zupkofska to approve request by Ryan Burns to once again hold the Freedom Walk at Centennial Park on Saturday, September 11, 2010 from 5PM to 7PM passed 5-0.

15. Fader Motors-Change of Address & Corporation

~MOTION by Mr. Chaffee, by Ms. O'Brien, passed 5-0.

16. South Shore Taxi-license renewal

~MOTION by Mr. Chaffee, 2nd by Mr. Zupkofska to approve Taxi Cab License passed 5-0.

20. Review TM & STM Warrant Articles

Discussion regarding available encumbered funds from FY09 legal account to be used for Town Hall repairs.

~MOTION by Mr. Chaffee, 2nd by Mr. Johnson to open the Special Town meeting warrant passed 5-0.

~MOTION by Mr. Zupkofska, 2nd by Mr. Chaffee to insert 2 articles (see below) into the Special Town Meeting Warrant passed 5-0

Special Town Meeting Articles Requests

Will the Town vote to transfer the sum of \$8,523.00 Eight thousand five hundred and twenty three dollars from Legal Services Encumbrances Account # 0115157-578099 to Town Hall Maintenance of Property Account # 0119252-525900 for repairs/renovation of town hall or take any action thereto?

EMERGENCY: To make repairs within the Town Hall.

Board of Selectmen

Will the Town vote to transfer the sum of \$8,500.00 Eighty-five hundred dollars from available funds to Computer Services Account #0113553-530400 for the purposes of merging the school and town's financial software within one server or take any action thereto?

EMERGENCY: The current situation of the School's migration is forcing the moving of the Administration offices. This is the opportune time to merge the schools financial system onto Town's new server allowing them to migrate with the least amount of disruption.

IT Committee

~MOTION to close the Special Town Meeting Warrant by Mr. Zupkofska, 2nd by Mr. Chaffee passed 5-0.

The BOS and Town Administrator reviewed the proposed STM/TM articles.

~MOTION by Mr. Zupkofska, 2nd by Mr. Johnson to list separately in the budget the elected officials. Motion failed 2-3(Zupkofska and Johnson in favor- Simpson, Chaffee and O'Brien opposed).

Discussion continued to review and provide an overview of pending articles. Finance Committee recommendations will be provided at Town Meeting.

29. TOWN ADMINISTRATOR'S REPORT

-Sewer Department is performing some nighttime testing of some pipes in Rockland for leaks.

-Read letter from the Jefferson School commending Lt. Nicolas Zeoli, DARE Coordinator, Officer Steven Somers K-9 Officer and Officer Mark O'Reilly.

-Announce the winning bid for the surplus Park Department Tractor was \$300.00.

-Reminded viewers the BOS agenda is available online at the town web site www.rockland-ma.gov

-Announced the Federal Court Case filed by Kevin McGee has been dismissed by the court.

-Mr. Chiocca indicated he has been preparing for the ability to get the elevator project going as soon as Town meeting approves the article.

-Wesson and Sampson Engineering has been selected as the sidewalk design firm.

-Chapter 90 funding is at \$321,000 or a slight increase of approximately \$10,000 over last year. Discussion took place regarding Salem Street and the schedule for improvements on the road.

-Rockland Little League and the Girls Softball League will be holding the opening day parade on Saturday April 24, 2010.

-Cadogan's Run is scheduled for May 22, 2010 applications are available at Town Hall or on line www.cadoganshope.org

-The BAT Bus Advisory Board Meeting is scheduled for April 15, 2010

-Announced the 89th birthday of Angie Keller Senior Aide at the COA

-Read the invitation to the BOS to attend the Eagle Scout Court of Honor for Ryan Burns on May 2, 2010 at the Rockland Country Club.

SELECTMAN'S COMMENTS

Comments and opinions expressed by individual members do not necessarily reflect the views of all of the BOS and are the opinions and comments of only the individual member.

Ms. O'Brien

-Urged everyone to vote at the Annual Town Election on April 10, 2010

-Discussed the selection of the Engineering firm Wesson and Sampson for the Downtown Sidewalk Grant.

-Announced K-9 fundraiser for May 7, 2010

Mr. Johnson

-Read the executive session minutes of June 1, 2009(2) into the record. The minutes reflect the vote of the BOS requesting Mr. Zupkofska produce all documents he previously claimed he had in his possession regarding a town employee (See exec minutes of June 1, 2009 (2) attached).

-Mr. Johnson then commented on the minutes, their release and the contents. Mr. Johnson spoke regarding allegations Mr. Zupkofska has made regarding a town employee. Mr. Johnson said he has repeatedly requested documents Mr. Zupkofska claims to be in possession of and that Mr. Zupkofska has never produced those documents.

-Mr. Johnson then took the opportunity to comment on the personal attacks against him, the other BOS members, the Town Administrator and Town Counsel by Mr. Zupkofska. Mr. Johnson questioned how everyone could be conspiring and only Mr. Zupkofska could be telling the truth.

- Mr. Johnson reminded everyone to vote on Saturday at the Annual Town Election.

Mr. Zupkofska

-Mr. Zupkofska denied ever offering, or being asked to produce, the documents in question. Mr. Zupkofska stated the minutes were not an accurate reflection of the meeting June 1, 2010. Mr. Zupkofska held and waved an undisclosed document stating he has had the document(s) “all along” but would only show the press.

-Mr. Zupkofska stated he used personal sick days and vacation days to chase the information in question yet still did not provide any material to the BOS members. He again stated he had all the information.

*** ~Mr. Johnson again asked if Mr. Zupkofska if he did or did not say he didn’t have the documents. Mr. Zupkofska stated this was his time but didn’t respond to Mr. Johnson’s inquiry.**

-Mr. Zupkofska said he would show his document to the reporter.

***~Mr. Johnson again asked why Mr. Zupkofska wouldn’t share his document(s) with the Board.**

Mr. Zupkofska feels the BOS made a poor choice in 2008.

-He urged people to vote on Saturday.

Mr. Chaffee

-Asked Dave Murphy to speak regarding the new WRPS website which allows for streaming video of public meetings.

-Discussed lifting the Winter Parking Ban with Chief Llewellyn.

-provided an update on the School Building Committee and events progressing with the planning for the School project.

Chairman Simpson

-Discussed possible development of part of the Pleasant Street landfill.

-Spoke regarding the three years he has served as a Selectman, reminded the people to vote.

Mr. Chaffee

-Asked Building Inspector Ruble about a Town Meeting Warrant article regarding acceptable home businesses and zoning requirements.

EXECUTIVE SESSION

MOTION by Mr. Chaffee, 2nd by Ms. O'Brien for negotiations with union and non union personnel:

1. Non union personnel

2. NEPBA

and not to reconvene. Roll Call vote passed 5-0.

Meeting went into Executive Session at 8:27PM

Allan R. Chiocca
Town Administrator

Lawrence J. Chaffee, Vice Chairman
for the Rockland Board of Selectmen

Note: Open Meetings are recorded by local cable WRPS and are considered the official record of the BOS meetings

Additional Note:

***Attached Executive Minutes of June 1 2009(2) as referred to in Mr. Johnson's comments**